**AC**

The **value is morality** as implied by the resolution.

Only util gives all people equal respect.

Professor Eric **Rakowski** writes[[1]](#footnote-1)

On one side, it presses toward the consequentialist view that individuals' status as moral equals requires that the number of people kept alive [life] be maximized. Only in this way, the thought runs, can we give due weight to the fundamental equality of persons; **to allow more deaths when we can ensure fewer is to treat some** people **as less valuable than others.** Further, **killing some to save others**, or letting some die for that purpose, **does not entail that those who are killed** or left to their fate **are** being **used merely as means** to the well-being of others, as would be true if they were slain or left to drown merely to please people who would live anyway. They do, of course, in some cases serve as means. But they do not act merely as means. Those who die are no less ends than those who live. **It is because they are** also **no more ends than others** whose lives are in the balance **that [one]** an impartial decision-maker **must** choose to **save the more numerous group, even if she must kill to do so.**

Therefore the **standard** is **maximizing utility**. My standard controls the link to any practical reason or contract frameworks because rational agents would consent to a universal law to maximize utility to increase the chance of their own interests being satisfied.

No act-omission distinction means side-constraints reduce to util. **Gewirth 82**[[2]](#footnote-2)

**To be responsible for inflicting** lethal **harms, a person need not intend or desire to produce such harms**, either as an end or a means. **It is sufficient if the harms come about as an unintended but foreseeable** and controllable **effect of what he does. For since he knows** or has good reasons to believe **what** **actions** or policies under his control **will lead to the harms in question he can control whether the harms will occur**, so that it is within his power to prevent or at least lessen the probability of their occurrence by ceasing to engage in these actions. Thus, just as all persons have the right to informed control, so far as possible, over the conditions relevant to their incurring cancer and other serious harms, so the causal and moral responsibility for inflicting cancer can be attributed to persons who have informed control over other persons’ suffering the lethal harms of cancer.

Also, conflicting side-constraints would paralyze action, so default to util to weigh deontological violations.

**Contention 1** is **Deterrence**

Deadly force sets a norm that deters future abuse. **Clark 91** writes[[3]](#footnote-3)

If the risk involved in attacking a woman were greater, there might be fewer attacks. **If women defended themselves violently, the** amount of **damage they were willing to do** to would-be assailants **would** be the **measure** of their seriousness about **the limits beyond which they would not be pushed. If more women killed husbands** and boyfriends **who abused them** or their children, **perhaps there would be less abuse. A large number of women refusing to be pushed any further would erode**, however slowly, **the myth of the masochistic female which threatens all our lives.** Violent resistance to attack has its advantages all round.

Empirics confirm. Each justifiable homicide deters 7.5 murders.

**Southwick 99** writes[[4]](#footnote-4)

From an initial look at these data it would seem that the risk of death at the hands of either the police or civilians would be of obvious concern to felons. It is evident that **executions provide a disincentive to commit murder**, as found by Ehrlich (1975) who found that **each execution deterred** approximately **seven to eight murders.** Of course, justifiable homicides by police and by civilians are not solely in response to murder but are the result of attempts to commit murder either directly or in the course of committing other crimes.

However, **if** each execution and **each justifiable homicide results in 7.5 fewer murders,** the total of 697 justifiable homicides each year should have deterred over 5,200 murders each year. Compared with the approximately 21,500 murders actually occurring each year as shown in Table 2, **this implies that the murder rate would have been** about **24 percent higher without** these **justifiable homicides.** The **civilian justifiable homicides** averaged 299 per year, which **should have saved over 2,200 murders per year.**

Nonlethal force doesn’t solve. It increases the abuse.

Elizabeth **Ayyildiz 95** of the Chicago-Kent School of Law writes[[5]](#footnote-5)

To some, the death of the abuser may seem an inappropriate or excessive way for the battered woman vigilante to punish her abuser and repair the social order. Deadly force on the part of the battered woman, however, may be justified in several ways. First, death may be necessary because **lesser degrees of force may be insufficient**. The battered woman may not be able to confront the batterer without a deadly weapon **because of disparities in size, strength or emotional control.** The lower degree of force a woman typically exerts upon a man may have little or no impact on a physically stronger abuser. Indeed, **a** woman's **lesser degree of force may only incite a vicious retaliation** by the abuser. In addition to believing that a lesser degree of force will be insufficient, many women may believe that leaving is not possible.' Those that do attempt to leave report that their abusers follow them, continuing the harassment and violence. Thus, if one accepts the premise advanced by BWS that battered women are, for a variety of reasons, unable to leave the batterer, and are often weaker than their abusers, then death may be the only means by which battered women can escape the abuse.

Even if the neg wins that there’s 0% risk of general deterrence, deadly force is guaranteed to solve at least one instance of domestic violence.

I’ll isolate 4 impacts.

First, domestic violence is deadly. **NOW 06** [[6]](#footnote-6)

Murder. **Every day four women die in this country as a result of domestic violence**, the euphemism for murders and assaults by husbands and boyfriends. **That’s** approximately **1,400** women **a year,** according to the FBI. The number of women who have been murdered by their intimate partners is greater than the number of soldiers killed in the Vietnam War Battering. Although only 572,000 reports of assault by intimates are reported to federal officials each year, the most conservative estimates indicate **two to four million women** of all races and classes **are battered each year. At least 170,000** of those violent incidents **are serious enough to require hospitalization,** emergency room care or a doctor’s attention.

Second, domestic violence leads to incredibly high suicide rates. Dorothy **Counts 90** [[7]](#footnote-7)

Certainly options other than suicide are available to beaten wives, and fortunately women who are beaten do not usually kill themselves, either in West New Britain or in general (Masamura 1979). It does, however, often seem to be the case that **female suicides were beaten** shortly **before their deaths and** that **suicide was their response to the despair, anger, or shame they experienced as a result of the violence,** In North America, for instance, researchers working with battered women have found a high incidence of suicide attempts among them (Jacobson and Portuges 1978:223; Back, Post, and Darcy 1982; Pagelow 1984:318; Stephens 1985). A working paper on spouse abuse prepared as a background document for **the U.S. Surgeon General reports** research findings **that** between **35** and 40 **percent of battered women attempt suicide** (Stark and Flitcraft 1985). Their evidence suggests that abuse may be the most important provocation yet identified for female suicide attempts.

Third, Domestic violence is the root cause of violence in children. Natalie **Clark 87** [[8]](#footnote-8)

Because **children can learn that violence is appropriate** behavior **when one** of their **parent**s **abuses the other**, the crimes involved in domestic violence should be considered serious. One reasonably may conclude that **the primary producer of violence in society is violence in the home.** American society has long recognized that the **family is** its basic unit and **the** teacher and **socializer of children.** The **acceptance** of serious crime in the home **teaches** perpetrators, victims, future perpetrators, and future victims **that these types of** criminal **behavior are tolerable [in]** when confined to **the home**, away from the public gaze. Moreover, future perpetrators and victims may learn that violent crime is generally appropriate behavior whenever one is angry or frustrated.

Fourth, constant abuse relegates battered women to a fate often worse than death.

Charles **Ewing 90** writes[[9]](#footnote-9)

In large measure, each of these rules, which seem to protect distinctly psy­chological values even at the expense of human life, may be viewed as expres­sions of the principle of autonomy: "The right to resist aggression broadly to cover threats to the personality of the victim . . . the moral claim of the person to autonomy over his life." Implicit in these rules-as well as in the proposed doctrine of psychological self-defense-is the well-grounded recognition that **the value of human life lies not in mere** physical **existence but** rather **in the capacity to experience that existence in a** psychologically **meaningful and rewarding fash­ion. When**, as in the experience of some **battered women[’s]**, **victimization becomes so severe that the capacity to function as an autonomous** (psychologically inte­grated and self-directed) **individual is lost,** severely impaired, or threatened with loss or severe impairment, **physical existence** ("life") **loses** much if not most of **its meaning and value.**

**Contention 2** is **the Legal System** – It doesn’t work for a few reasons

**First**, women can’t seek prosecution for fear of abuse. **Klein 2009** [[10]](#footnote-10)

**A study** of five jurisdictions in three states **found that** victims across all sites reported that **fear of** defendant **retaliation was the**ir **most common barrier to participation with prosecutors.** [103] Even in a Chicago study where the majority of Chicago victims wanted their abusers prosecuted, fear was the biggest factor for those who opposed prosecution. **A quarter** of victims opposing prosecution **reported being specifically threatened** by their abusers **against prosecution. Others expressed fear that their abusers would become more violent.**

**Second,** police don’t respond to domestic violence calls. Mary **Wimberly 07** writes[[11]](#footnote-11)

Empirical, historical, and sociological evidence should be used by experts to show that the necessity of a battered woman’s actions in self-defense is in large part created by societal pressures that demand that women stay in the home, and submit to the domination of men. For instance, an expert could demonstrate how the assumptions of the law and subsequently of law enforcement officials reflect the social norms that compel women to silently and privately cope with domestic abuse. As Caroline Forell and Donna Matthews wrote, “[T]he law is often ineffectual. For example, **in a U.S. Department of Justice study**, Marianne Zawitz estimated that nearly **90 percent of women killed by intimates had previously called the police**, and that **half of these had called five or more times**.” 78 Professor Raeder similarly found, “The statistics produced from myriad sources are disconcerting, even with some discounting for methodological objections. Each year nearly 1500 women are killed by their batterers. Approximately ninety percent of women killed by husbands or boyfriends were stalked and had previously called the police.

**Third,** victims who flee lose custody, relegating their children to a life of domestic abuse as well. Laura **Curry 2009** of the University of Baltimore[[12]](#footnote-12)

A women fleeing with a child must also consider the possible implications of her action in regards to child custody proceedings and existing custody agreements. **If a woman decides to flee** or go underground, then **she will not be present** or able to participate **in** custody **proceedings and will likely lose custody** as a result of her leaving the state where abuse occurred.24 While under the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA), **the** fleeing **victim can file for** temporary **custody, however, she** may still be forced to return to the home state if she wants to go forward with litigation.25 Furthermore, the mother **may be required to disclose her whereabouts, facing a similar confidentiality problem** as she would if facing parental kidnapping charges.26 Clearly, a woman faces many additional legal challenges when a child is involved as she makes the difficult, but often lifesaving decision, to rebuild her life in a new state.

**Fourth,** even arrest doesn’t solve domestic violence. Criminals continue to abuse women once released. **Klein 2009** [[13]](#footnote-13)

Reabuse has found to be substantially higher in longer term studies. **A** Massachusetts **study tracked 350 male[s]** abusers **arrested for abusing their** female intimate **partners over a decade,** 1995 to 2005. The study found that **60 percent were rearrested for a new domestic assault** or had a protective order taken out against them, even though some went three to four years between arrests. [138, 224] An equivalently high rearrest rate for domestic violence was also documented **in Colorado** between 1994 and 2005. During that time, **of 84[thousand]**,431 **defendants** arrested for domestic violence, according to the state bureau of investigation, more than 50,000 (nearly 60 percent) were arrested for domestic violence charges more than once. In other words, **the** domestic violence **rearrest rate was almost 60 percent** for arrested abusers **over** an average of **five years.**

**Fifth,** relevancy standards in court prohibit women from talking about past events, meaning that patterns of domestic violence are not explained.

Deborah **Weissman 01** of UNC Law School[[14]](#footnote-14)

The power of bias may also insinuate itself in the invocation of neutral rules which are implemented according to values and assumptions of the judge, but which are often injurious to battered women. Legal procedures that appear objective and neutral are neither, when the biases harbored by a judge are infused in their application. Judges who do not understand that abusive behavior is a dynamic with connected and controlling characteristics, and not isolated instances of assault, may apply **the evidentiary requirement of relevancy** in a fashion that **precludes women from testifying about their history of assaults. Judges** thereby focus on an incident of alleged physical harm and **limit testimony** and evidence **to a specific event** or to incidents which are closely related chronologically. This is particularly problematic if the most recent episode, prompting the request for relief, is not the worst episode a woman has endured. Thus, if a woman waits to seek relief until a subsequent assault--one that does not produce injuries or does not rise to a sufficient level of outrage in the judge's perspective--she may be denied that relief because she is precluded from testifying about a prior, more violent course of conduct she has experienced.

The result is a fragmentation of testimony which distorts stories in ways that negate the experiences of battered women and deny a more complete understanding of gender-based violence. **Without evidence documenting the history of violence** and the connections between emotional abuse, threats, and physical harm, **patterns of domestic violence rarely will be discernible**. Furthermore, important connections between battered women themselves remain obscured, impeding the recognition of domestic violence as a public problem with larger social implications, and confining it to individual idiosyncrasies without larger meaning.

**Sixth,** in the status quo, many states use mandatory arrest laws that force victims to prosecute abusers. However, mandatory arrest laws actually decrease prosecution.

Laurie **Kohn 2008** of Georgetown University[[15]](#footnote-15)

**A study** conducted **in Wisconsin found a large increase in the number of women who stated that they would not call law enforcement** again **after the mandatory arrest law went into effect (68**.4**%)** compared withthose who **did not intend to call police [compared wih]** before**[,]** the law went into effect (**0% [before]** would not, 22.5% were unsure). ZORZA & WOODS, supra note 124, at 17 (citing STAFNE, supra note 130, at 5). If the mandatory arrest policy was the only material change reported in Wisconsin during that period-and contemporary analysis suggests that this was the case-this is a striking difference.

Deadly force causes legal system reform which solves murder long-term.

**Clark-2** writes[[16]](#footnote-16)

**The criminal justice system** already **effectively deals with domestic violence culminating in murder.** Fortunately, **people take murder seriously, even** when it occurs **in a domestic setting.** Unfortunately, **however, murder** within the family **is not** usually **seen as the predictable end of domestic violence.** 81 **If it were** so seen, **criminal prosecution of abusers would be common.** The use of **vigorous** criminal **prosecution** in cases where domestic violence has not yet reached murderous consequences **would reduce the number of such murders, both those committed by** unchecked **abusers and those** committed **by** desperate **victims** who see no other available protection for themselves.

**Contention 3** is **Patriarchy**

Current societal norms obscure the role of patriarchy in domestic violence which allows the violence to continue.

**Berns 01** writes[[17]](#footnote-17)

**Feminist constructions of domestic violence emphasize the role of gender** and power **in abusive relationships, including the fact that the overwhelming majority of victims are women. The** first major **strategy of** the **patriarchal**-resistance **discourse is to reframe the problem as "human violence." By removing gender from the framing of the problem, this perspective undermines the role of gender** and power **in abusive relationships.** This discursive strategy, which I refer to as degendering the problem, plays a central role in resisting any attempts to situate social problems within a patriarchal framework. Domestic violence is not the only form of violence that is degendered by critics of feminist constructions. Typical cases of men's everyday violence against intimates and acquaintances, including rape and incest, are obscured in the media by sensationalizing less common "stranger abuse" and "sick rapists" (Caringella-MacDonald 1998; Meyers 1997; Smart 1989; Soothill and Walby 1991; Websdale 1999). "**Media portrayals of rape are in these ways hegemonic, buttressing the patriarchy that undergirds** structural inequality and **sexism** and the rampant rape that these engender" (Caringella-MacDonald1 998, 63). In the case of domestic violence, where strangers are obviously not involved, human violence takes the place of "stranger danger" as a rhetorical tool for diverting attention from men's everyday violence.

Deadly force solves the patriarchal societal norms. Women set the norm that they are not passive and that the violence is not OK.

**Heberle 96** writes[[18]](#footnote-18)

Further, **when women who are battered act violently in self-defense it becomes news. It becomes a story about an innocent woman being victimized who**, out of irrational desperation, **strikes back and happens to kill her abuser. Encouraging stories** of successful prevention and resistance as reasonable and necessary rather than as only desperate and irrational can lead to increased knowledge about the contradictions and fissures in the logic of the rape script and **contribute to the general deconstruction of identifications of women with** real **sexual vulnerability and men with** real **sexual power.**

Going to the legal system only furthers the patriarchy.

**Heberle-2** writes[[19]](#footnote-19)

Turning to these institutions offers increased legitimacy to the violence of the state in general and to racist and patriarchal norms vis-a-vis justice and freedom of movement for women in particular. Advocating strong policing strategies as a means of protection places feminist critiques of the racist/patriarchal state in the background in light of the "reality" of sexual violence.14 Further, **going to the state** can be extremely isolating and **removes responsibility from society for combatting sexual violence. It literally individuates women as vulnerable objects of masculinist power** (women have to argue their immanent vulnerability in order to prove they were raped and in need of services) **and disallows public acknowledgement of the complex logic of sexual violence** writ large.15 At best it offers individual women a limited sense of safety and some (increasingly limited) resources. **In the long run,** however, **state-centered**, bureaucratic, and legalistic **strategies may do more to normalize violence** as a constitutive aspect of political life than to prevent sexual violence as a constitutive aspect of social life.

Our patriarchal culture must be challenged to prevent extinction.

**Spretnak 89** writes[[20]](#footnote-20)

**Most men in our patriarchal culture are still acting out old patterns** that are **radically inappropriate for the nuclear age. To prove dominance and control, to distance one’s character from that of women, to survive the toughest violent initiation,** to shed the sacred blood of the hero, **to collaborate with death** in order to hold it at bay – **all of these patriarchal pressures on men have traditionally reached resolution** in a ritual fashion **on the battlefield. But there is no longer any battlefield.** Does anyone seriously believe that if a nuclear power were losing a crucial, large-scale conventional war it would refrain from using its multiple-warhead nuclear missiles because of some diplomatic agreement? **The military theater of a nuclear exchange today would extend**, instantly or eventually, **to all living things**, all the air, all the soil, all the water. If we believe that war is a “necessary evil,” that patriarchal assumptions are simply “human nature,” then we are locked into a lie, paralyzed. **The ultimate result of** unchecked terminal **patriarchy will be nuclear holocaust.**

Preempts

1. I-meets and counter-interps trigger an RVI for the aff. 2 reasons.

(**a**) the massive time-skew of the LD 1AR means I can’t fully cover theory and still have a fair shot at substance; and

(**b**) no risk theory would exacerbate neg bias by giving him a free source of no risk offense that comes prior to all AC offense.

2. The role of the ballot is to weigh the offense in favor of the aff advocacy against the offense in favor of a functionally competitive negative advocacy. Two reasons:

(**A**) Offense/defense is most fair because it gives reciprocal burdens to both sides instead of allowing the neg to moot the AC by questioning one of its infinite assumptions.

(**B**) Offense/defense is most educational because it deals with how philosophy is actually applied to the real world, i.e. as a guide for action instead of a pointless thought experiment.

3. Leaving is counter-productive. It doubles the risk of death and triples the risk of assault. **Koons 06** writes[[21]](#footnote-21)

The unworkability of a retreat rule is manifest when considering the phenomenon of separation assault. Legal scholars have defined separation assault as "the attack on the woman's body and volition in which her partner keeps her from leaving, retaliates for the separation, or forces her to return." The concept of separation assault recognizes that patterns of violence, already dramatic, often increase upon a woman's separation from a battering man. According to the Department of Justice, **seventy-five percent of assaults occur when the abused party is** divorced or **separated from the abuser. Another study indicates that forty-five percent of murders of women arise out of a man's "rage over** the actual or impending **estrangement** from his partner." Women who are separated from their spouses are three times more likely to be attacked than divorced women and twenty-five times more likely to be attacked than married women. Even a limited retreat rule, as had been carved out by the Florida Supreme Court, places women at increased risk of violence. It is at the moment of separation - the first physical move toward separation - that a battering man is prone to become more violent. A decision - or **even a threat - to leave can trigger lethal violence.** Because domestic violence is marked by power and control, attempting to exit a room may be considered "disobedience," spurring escalated violence. Resistance strategies (such as leaving a room) may force an abuser "to make his coercive power explicit. Any threat, however small, to the abuser's authority within the family is likely to be met with violence."According to one woman, "The best way to avoid [battering] was to show as little reaction as possible ... I didn't dare argue with him or challenge him - for fear of my life actually." Trying to exit past a raging man may be the final move of a woman seeking only to avoid violence. **Killing a battering man may be the safest available alternative.**

**1AR**

**AT K**

Overview to the K, he concedes the role of the ballot is to compare post-fiat advocacies which means the K isn’t competitive because it fiats the same action as the aff.

On the Link

1. No link to the aff – I don’t endorse the use of the term victim in the AC. My advocacy is only that the topical action is desirable, not that the topical rhetoric is desirable.

2. Link Turn – I proactively reject the negative connotation of the word victim because I say victims are allowed to kill their abusers which empowers them to take matters in their own hands. This proactively deconstructs the negative connotation whereas the neg only avoids it.

Now on the alternative.

1. TURN - **Censorship fails in a debate context, and increases use of the censored term. Roskowski** [Matthew Roskoski and Joe Peabody, “A Linguistic and Philosophical Critique of Language ‘Arguments,’” 1991, <http://debate.uvm.edu/Library/DebateTheoryLibrary/Roskoski&Peabody-LangCritiques>]

If language "arguments" become a dominant trend, debaters will not change their attitudes. Rather they will manifest their attitudes in non-debate contexts. Under these conditions, the debaters will not have the moderating effects of the critic or the other debaters. Simply put, sexism at home or at lunch is worse than sexism in a debate round because in the round there is a critic to provide negative though not punitive feedback. The publicization effects of censorship are well known. "Psychological studies reveal that whenever the government attempts to censor[s] speech, the censored speech - for that very reason - becomes more appealing to many people" (Strossen 559). These studies would suggest that language which is critiqued by language "arguments" becomes more attractive simply because of the critique. Hence language "arguments" are counterproductive. Conclusion Rodney Smolla offered the following insightful assessment of the interaction between offensive language and language "arguments": The battle against {offensive speech} will be fought most effectively through persuasive and creative educational leadership rather than through punishment and coercion... The sense of a community of scholars, an island of reason and tolerance, is the pervasive ethos. But that ethos should be advanced with education, not coercion. It should be the dominant voice of the university within the marketplace of ideas; but it should not preempt that marketplace. (Smolla 224-225).1 We emphatically concur. It is our position that a debater who feels strongly enough about a given language "argument" ought to actualize that belief through interpersonal conversation rather than through a plea for censorship and coercion. Each debater in a given round has three minutes of cross-examination time during which he or she may engage the other team in a dialogue about the ramifications of the language the opposition has just used. Additionally even given the efficacy of Rich Edwards' efficient tabulation program, there will inevitably be long periods between rounds during which further dialogue can take place.

AT Minow

Permutation solves best. Your author agrees.

**Levit 96** (Nancy, Associate Prof @ UMKC Law, April, 43 UCLA L. Rev. 1037, lexis)

The purpose of examining the various ways in which legal doctrines and the legal system disadvantage men is not to thrust men into victimhood. n75 Professor Martha **Minow has cautioned about the dilemma of victimhood: On the one hand, failure to acknowledge victimization "countenances oppression." On the other hand, speaking in terms of victimization may promote** passivity, **helplessness, and blaming behavior on the** part of **victims.** n76 As a partial resolution of the dilemma, **Minow suggests "treating all participants as more than mere victims and more than mere perpetrators, recognizing the capacity of the most victimized for choice**, redressing the structures of constraint, and treating responsibility not as blame but as the ability to respond ...." n77

**AT Hospital CP**

Agent counter-plans are bad. They allow the neg to **fiat utopia** which destroys all aff ground because my ground is premised on proving why the status quo fails. I can’t garner any unique offense in a world where he can just fiat that people don’t abuse their spouses in the first place.

Fairness comes first because debate is a competitive activity. Vote on theory because the 1AR was already skewed. It’s too late to rectify the abuse.

Agent counter-plans are not morally relevant for 3 reasons.

1. The resolution is in the status quo because of the present tense verb “is”, so he has to prove murder is impermissible given the status quo system, not a hypothetical one.

2. Multiple actors can have the same obligation, so proving that [an alternative agent] should act doesn’t **dis**prove that [the aff actor] has the same obligation.

3. Counter-plans just represent opportunity cost disadvantages, but agent counter-plans aren’t opportunity costs because they aren’t alternative choices that could be made by the same actor.

Counter-plan doesn’t solve. Empirics prove.  
**Dugan et al. 03** write[[22]](#footnote-22)

Other research has utilized comparative designs that incorporate data for several types of domestic violence resources from a large number of jurisdictions. Browne and Williams (1989) examined the effects of domestic violence services and legislation on intimate-partner homicide rates using state-level cross-sectional data. Their ﬁndings indicate some policy impact: **greater service availability is significantly associated with a lower rate of** married **women killing their husbands. However, service availability was not found to** be related to **lower rates of men killing their wives** (see Browne, Williams, & Dutton 1999 for discussion). **The finding** of divergent effects of domestic violence services on intimate-partner homicide by gender **was replicated in a longitudinal analysis** of intimate-partner homicide victimization **in 29 large U.S. cities** (Dugan, Nagin, & Rosenfeld 1999). The authors found that legal advocacy services are associated with reduced victimization for married men, but not for women (Dugan, Nagin, & Rosenfeld 1999). The above studies reach an ironic conclusion: **resources designed to protect women** from violent men **appear to have a stronger role in keeping men from being killed** by their partners. Men’s homicidal behavior toward female intimates statistically remains the same regardless of the amount of resources available to battered women. Although there are clear social beneﬁts to averting both the murder of men and the likely incarceration of the female perpetrator, the null female ﬁndings suggest that policy enhancements are needed to dramatically increase the safety of women in relationships with men.

**AT Prison DA**

1. I control the link to prison long-term.

**A subpoint** is contention 1 of the ac shows that affirming causes longterm decrease in domestic violence.

**B subpoint** is contention 2 shows deadly force solves the flaws in the legal system by incentivizing reform.

2. No risk of unique offense because negating means the men go to jail instead of women.

3.Most who kill in self-defense are not prosecuted. Women Defending Women 93:[[23]](#footnote-23)

In a study of 155 mate homicides in City of Jacksonville, Florida, 1980-1986, at least 7 of the 24 offenders who claimed that their actions were in self-defense were prosecuted by the state; 6 six of them were found guilty.

(Christine E. Rasche, “‘Given’ Reasons for Violence in Intimate Relationships,” Homicide: The Victim/Offender Connection, ed. Anna Wilson (Cincinnati, OH: Anderson, 1993) p. 88)

AT Prison Abuse

**1. Best studies conclude there’s only a 2% risk of prison abuse.**

**Gaes & Goldberg, 2004:[[24]](#footnote-24)**

In an effort to get a summary estimate of the level of sexual victimization, **a metaanalysis was conducted to provide** a calculation of **an average estimate** over all of the studies, even though any single study may not meet conventional levels of statistical significance. **Results** of the meta-analysis **indicate an average prison** **lifetime sexual assault prevalence of 1.91 percent.** This means that 1.91 percent of inmates have experienced a sexual victimization over a lifetime of incarceration. This estimate is based primarily on studies which report completed victimizations, although it incorporates some studies which also include serious attempts of sexual assault and one study that includes sexual pressure.

**2. More recent empirics confirm. There’s no risk of prison abuse.**

**National Institute Of Justice, 2012:[[25]](#footnote-25)**

In 2004, the Bureau of Justice Statistics (BJS) examined administrative records from adult and juvenile facilities at State and local levels. **According to** these official **[BJS] records**, slightly more than 8,000 male, female, and juvenile inmates—or **0.005 percent of the** total **incarcerated population**—**reported** that **they had been victims of sexual violence** while incarcerated. **An even smaller percentage of inmates' claims were substantiated.** Thus, although the Prison Rape Elimination Act (PREA) 2003 states that 13 percent of all inmates have been raped in American prisons and jails, **the most recent research estimates less prevalence of rape**, whether inmate-on-inmate or staff-on-inmate sexual misconduct.

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2. Gewirth (Department of Philosophy, Univ. of Chicago) 82 Alan, Human Rights: Essays on Justification and Applications pg 183 [↑](#footnote-ref-2)
3. D.A. Clark [University of California Santa Cruz, multiple essays published in academic works e.g. *Transforming a Rape Culture,* editor of other academic works] “Justice Is A Woman With A Sword”. 1991. [↑](#footnote-ref-3)
4. Southwick, Jr., Lawrence. Guns and Justifiable Homicide: Deterrence and Defense. Saint Louis University Public Law Review. 1999. Accessed Lexis-Nexis. [↑](#footnote-ref-4)
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25. (The National Institute of Justice — the research, development and evaluation agency of the U.S. Department of Justice — is dedicated to improving knowledge and understanding of crime and justice issues through science. NIJ provides objective and independent knowledge and tools to reduce crime and promote justice, particularly at the state and local levels. *Prison Rape. http://www.nij.gov/topics/corrections/institutional/prison-rape/welcome.htm*) [↑](#footnote-ref-25)